

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES REPIKA,)	
on behalf of himself and a class,)	Case No. 12 cv 04290
)	
Plaintiffs,)	
v.)	Hon. Blanche M. Manning
)	
ACCELERATED FINANCIAL)	Mag. Jeffrey T. Gilbert
SOLUTIONS, LLC,)	
)	
Defendant.)	

JOINT INITIAL STATUS REPORT

Plaintiff, James Repika, on behalf himself and a class ("Plaintiff") and Defendant, Accelerated Financial Solutions, LLC ("AFS"), respectfully submit their Joint Status Report:

1. Summary of Claims: Plaintiff alleges that AFS violated the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. ("FDCPA") by conveying a false threat of suit in a collection letter and by leaving a telephone message that did not state the call was for collection purposes.

2. Answer: No answer has been filed. On August 15, 2012, Judge Manning stayed this case pending the outcome of settlement discussions before Magistrate Gilbert, which will be take place at the status on August 28, 2012.

3. Statement of Relief Sought and Itemization of Damages: Plaintiff seeks statutory damages under 15 U.S.C. §1692 et seq.; attorney's fees, litigation expenses and costs of suit; and such other and further relief as the Court deems proper.

4. Description of Matter Referred to Magistrate Gilbert: On August 14, 2012, AFS filed its Motion to Transfer for Settlement Conference and to Stay Proceedings, which Motion was granted on August 15, 2012. AFS sought to have the case referred to Magistrate Gilbert because it believed this matter could be quickly resolved with a settlement conference. Although AFS does not admit any liability or wrongdoing, it is willing to stipulate to the FDCPA's class damages provision of 1% of its net worth and is also willing to pay Plaintiff's attorney a reasonable fee, as determined by agreement or order of this Court.

5. Status of Briefing: There are no motions pending before this Court which require briefing.

6. Discovery: There is no discovery completed or outstanding. This case is currently stayed.

7. Existing Discovery Deadlines: No discovery deadlines have been set in this case. This case is currently stayed.

8. Discovery Schedule: Because this case is stayed, the parties hereby respectfully request that this Court not enter a discovery schedule unless or until the parties cannot reach settlement.

9. Discovery of Electronically Stored Information: If this case cannot be settled, the parties will advise this Court regarding ESI.

10. Consent to Magistrate Judge: The parties consent to have Judge Gilbert conduct all further discovery and non-dispositive proceedings in this case, but do not unanimously consent to trial and entry of final judgment.

11. Status of Settlement: This case was referred to Magistrate Gilbert for the

express purpose of facilitating settlement. The claims in this case are based upon the FDCPA. Liability in class actions under the FDCPA is limited to “the lesser of \$500,000 or 1 per centum of the net worth of the debt collector.” 15 U.S.C. § 1692k(a)(2)(B). In addition, the fee shifting provision set forth in the FDCPA permits a prevailing consumer to recover reasonable attorneys’ fees and costs. 15 U.S.C. §1692(k)(a)(3). AFS does not admit liability; however, in good faith and as a business decision, AFS seeks to settle this matter as a class action. AFS requested the assistance of Magistrate Gilbert to reach a mutually satisfactory settlement agreement. The parties are currently working to that end, including exchanging information relevant to net worth and the class size.

DATED: August 24, 2012

Respectfully submitted,

s/ Stacie E. Barhorst (with consent)

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Respectfully submitted,

s/ Zachary A. Jacobs

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